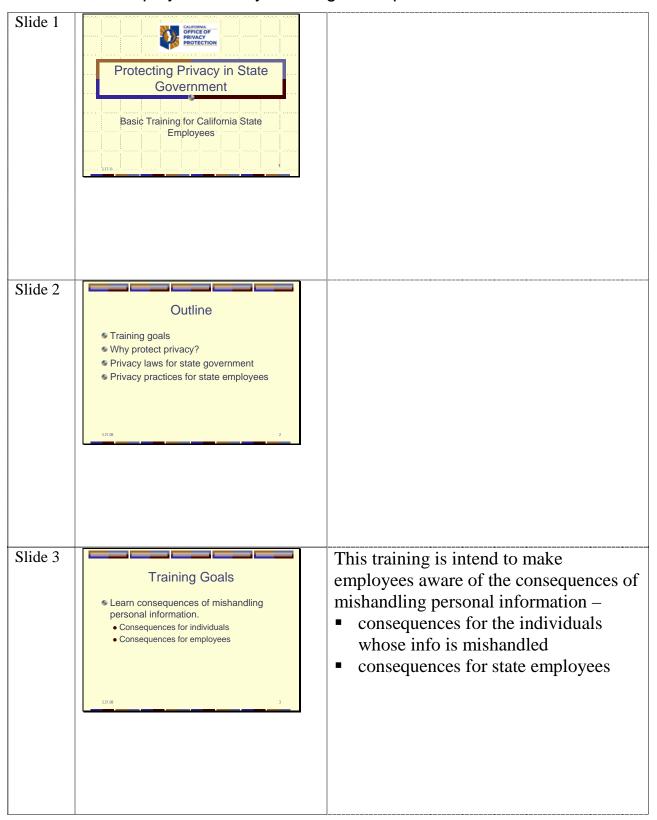
## Basic State Employee Privacy Training with Speaker Notes



3.17.11 1 of 27

Slide 4 The training will make you aware of some dangerous information-handling Training Goals practices - and help you to recognize Learn risky information-handling practices to avoid. other risky practices in your workplace. • Recognize other such practices in your Learn when and how to report information security incidents. You will also learn when and how to report information security incidents in your workplace. Slide 5 Law – State laws require state agencies Why protect privacy? to protect personal information Information Practices Act, and others Security breaches – for example, lost Security breaches · Notifying affected individuals can cost over laptops containing personal information \$200 per notice. Identity theft - cost state agencies **money** (notifying • The low-risk, high-reward crime of our all affected parties) and loss of reputation and trust of citizens. Source: Ponemon Institute study of data breach cost (3/2011). Identity theft – Personal information is sought by identity thieves, who use it to harm people. Slide 6 People can't go to another DMV, **Public Trust** another FTB, if they're not happy with the way their personal information is Citizens have no choice - required to provide personal information to handled. government. We have an obligation to protect the information entrusted to us. People entrust their most sensitive personal information – financial information, medical information – to Government agencies. Our failure to protect personal information and use it properly can undermine Californians' faith in their government.

3.17.11 2 of 27

## Slide 7 **Identity Theft** What It is and Its Impact Slide 8 What is identity theft? Obtaining someone's personal information and using it for any unlawful purpose • Penal Code §530.5 Financial • Existing accounts, new accounts Services: Employment, Medical Criminal

The most common type of identity theft is financial – thieves steal personal information and use it to make money.

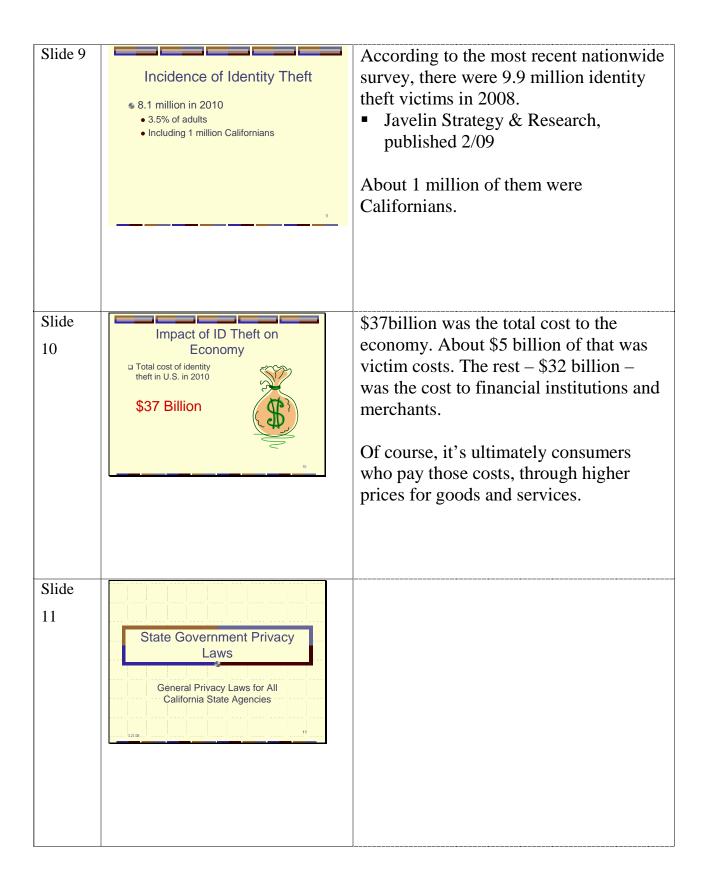
A thief may use a victim's existing account – such as a credit card account. Or a thief may use personal information such as name and Social Security number to open new accounts.

Other kinds of identity theft include using someone's SSN to get a <u>job</u> – which can create tax liabilities for the victim.

Or a thief may use someone's information to get <u>medical benefits</u> — which can cost the victim's insurer. This can also pollute the victim's medical records with the thief's diagnoses and treatments, putting the victim's health at risk.

"Criminal" identity theft is when a thief uses someone's information when arrested or charged with a crime, which creates a criminal record for the victim. This can be very difficult to correct.

3.17.11 3 of 27



3.17.11 4 of 27

Slide 12	State Government Privacy Laws  Information Practices Act of 1977 Civil Code §1798 et seq. Includes breach notice law §1798.29 State Agency Privacy Policies Government Code §11019.9 Social Security Number Confidentiality Act Civil Code §1798.85-1798.86	In addition to these laws, which apply to all state agencies, there are also state laws protecting specific kinds of personal information (such as HIV diagnoses, driver license info) and federal laws applying to certain state agencies.
Slide		
13	Information Practices Act (IPA)  Comprehensive privacy law for all state	
	agencies.  Sets requirements for agencies on collection and management of personal information.	
Slide 14	IPA: Personally Identifying Information  Broad definition in IPA: "any information that is maintained by an agency that identifies or describes an individual," including, but not limited to:  Name, Social Security number, physical description, home address, home	Information Practices Act (Civil Code §1798.3) The IPA uses a very broad definition of personal information – not just the very sensitive type such as medical, financial, SSN, the kind that ID thieves are
	telephone number, education, financial matters, medical or employment history	after – but also home address & phone number, education, etc.

3.17.11 5 of 27

Slide	IPA: Individual Access to	IPA (Civil Code §§1798.30-1798.44)
15	Personal Information Individual has the right to see, dispute, correct his or her own personal information.	We all have the right, under the Information Practices Act, to see the records government maintains on us — and the right to dispute, and correct our records if in error.
Slide	IDA O it (D	IPA (Civil Code §1798.20-1798.21)
16	IPA: Security of Personal Information	The IPA requires state agencies to
	<ul> <li>Must protect personal info against risks such as unauthorized access,</li> </ul>	protect personal information from
	modification, use, destruction.  Use reasonable security safeguards:	unauthorized, access, use, modification,
	administrative, technical, physical	destruction, etc.
		Agencies must use reasonable and
	3.21.08	appropriate safeguards to protect
		personal information.
		Administrative safeguards – such as policies on use of passwords for access to databases
		Technical safeguards – such as firewalls and encryption of data
		Physical safeguards – such as locked file cabinets, buildings with card keycontrolled access
		We'll cover some other examples of
		practices for safeguarding personal information later on in the class.
		Intomation faction in the class.

3.17.11 6 of 27

Slide Civil Code § 1798.45-1798.57 IPA: Accountability 17 Individuals may bring civil action vs. There are *consequences* for violating the Information Practices Act. Intentional violation by employee is cause for discipline, including Consequences for an agency – which termination Willfully obtaining record containing may be sued, if violation results in PII under false pretences is misdemeanor adverse impact. • Up to \$5,000 fine and/or 1 year in jail Consequences for an employee – if the violation is intentional. Also consequences for an employee who obtains personal information under false pretences – Misdemeanor, punishable by a fine of up to \$5,000 and one year in iail. Slide Breach Notice Law is part of IPA: Notice of Security Breach Information Practices Act for State 18 agencies §1798.29 – Agencies must notify people promptly if certain personal information is "acquired (Also applies to businesses, Civil Code by unauthorized person." §1798.82). Requires notification of individuals if their personal information – of a specific type – is "acquired by an unauthorized person" – or is reasonably believed to have been acquired. Intent of law is to give people early warning when their personal info has been compromised – to give them opportunity to take steps to protect themselves against ID theft. For example, if your SSN is involved in a breach, you can place a fraud alert or security freeze on your credit files, protecting you from new accounts being opened using your information.

3.17.11 7 of 27

## Slide Generally, the kind of personal **Breach Notice Law** information that triggers the notice 19 Personal info triggering notice: Name plus requirement is the kind identity thieves • DL number/State ID number, or want. · Financial account number · Medical or health insurance information Applies to "unencrypted, computerized" data State policy is to notify in cases of breaches of Financial account number: for example notice-triggering information, no matter what bank account number, credit card or Paper and digital data debit card number – with PIN if required for access to account. Requirement to notify applies to "unencrypted, computerized" data. Encrypted means coded or scrambled so that it's not readable except by those who have a key. State policy for state agencies is to notify in case of breaches involving "notice-triggering" personal information – in any format – paper, electronic, tape, etc. Risk to individuals is same, whether their data was on paper in a manila folder or in a database on a computer. • Authority: Management Memo 06-12: Protection of Information Assets Slide Records can be public – but personal Privacy and Public Records 20 information in the records is still Personal information is protected, even in records that are public. protected – which is why state agencies • State agencies redact or black out personal info before releasing public redact (black out) personal information. Check with your PRA coordinator or with Legal Check with your department's Public Records Act coordinator or Legal office if you have questions.

3.17.11 8 of 27

Slide **Social Security Number** SSN Confidentiality Act **Confidentiality Act (Civil Code** 21 Prohibits " publicly posting or **§1798.85-1798.86**) displaying" of SSN, including: • Printing SSN on ID/membership cards Applies to any person or entity – • Mailing documents with SSN to individual, unless required by law therefore to state gov't, local • Requiring someone to send in email, unless encrypted gov't, private sector. Requiring use as Website log-on, unless additional PW • Prohibits public posting or display of SSNs Doesn't prohibit internal use for administrative purposes. Also specifically prohibits certain types of public posting – such as printing on ID card for access to goods or services This is why our health plan cards no longer have our SSNs on them. Slide The following are some basic practices for handling personal information 22 responsibly, so that it is protected from Recommended Privacy Practices unauthorized access and use. Basic Practices for State These practices are appropriate for most **Employees** – but not all – work environments. They are intended to make you aware of safer - and of less safe - ways to handle the personal information that you come into contact with in your job. If you have questions about the applicability of any of these recommended practices in your workplace, please raise the issue with your supervisor or with your department's Information Security or Privacy Officer.

3.17.11 9 of 27

Slide Protecting personal identifying Confidential Information information (PII) protects individuals' 23 privacy. Personally identifying information - one type of info to protect Other confidential information to protect includes security-related info, policy Agencies must also protect other kinds drafts, and some department financial of confidential information – such as computer security information and department banking information. Practices described here are intended to protect personal information – but they would also protect other kinds of confidential state information. Slide Personal information is worth money – There's a black market for personal Personal Information = Money 24 information and identity thieves use it to Handle personal information like make money. it's cash! If you thought of personal information as cash, you would probably handle it differently. You wouldn't leave a pile of \$100 bills lying on your desk when you're away even just for a short meeting, for example. This is how we should all think of the personal information in our care.

3.17.11 10 of 27

Slide Do you store downloaded personal **Know Where Personal** information on your PC? 25 Information Is Learn where personal info is stored in your office – especially sensitive info Do you have print-outs of personal like SSN, DL number, financial account number, medical info information in file folders in an • PCs, workstation file drawers, laptops, BlackBerrys, other portable devices unlocked drawer in your workstation? • Employee info as well as info of consumers, licensees, others Do you have CDs or floppy disks with files on them containing personal information? The first step to protecting personal information is to know where it is. Take a look around your workstation – in your desk drawers, file drawers, shelves – see where you have personal information stored. Slide When you've started to locate where Retain Only When Necessary you're keeping personal information in 26 your workstation – consider whether you Regularly purge unneeded duplicates with personal info from file folders. really need to keep it all. • Unless required to keep. Avoid downloading onto PCs. · Regularly remove personal info from PCs, laptops, other portable devices There are some kinds of records and Comply with record retention policy for data that we're required to keep, for legal reasons. But there are probably lots of other files – paper and digital – that we no longer need, don't need to keep – and SHOULD NOT keep beyond the period when we're working on them. Develop the habit of regularly purging documents containing personal information from your file folders. Avoid downloading from databases onto your PC – regularly delete what you do download when you've finished using it.

3.17.11 11 of 27

Slide		Don't throw documents containing
27	Dispose of Records Safely	personal information into your waste
27	Dispose of Records Safely  Shred documents with personal info & other confidential info before throwing away.  CDs and floppy disks too  Have computers and hard drives properly "wiped" or overwritten when discarding.  Lock up Confidential Destruct boxes when left unattended.	basket or recycling bin – shred them first.  CDs and floppy disks can also be shredded too.  Consult your department's Information Security Officer about disposing of other data storage media.  Or use your office's Confidential Destruct boxes for large quantities of sensitive documents.  And manage Confidential Destruct boxes securely – They're effectively labeled "Here's the good stuff – take this first!"  Don't leave Confidential Destruct
		boxes unattended during the day - Lock them up over night.
Slide		Not everyone in an office NEEDS to
28	Protect Personal Info from Unauthorized Access	have access to all files and databases
20	Limit access to personal info to those	containing personal information.
	who need to use it to perform their duties.  • Minimum necessary access	
	• William necessary access	Especially info like SSN, DL number, financial account number, medical info
		financial account number, medical info.
	321.08 28	Don't give your access to co-workers or others who are not authorized.

3.17.11 12 of 27

Slide Remember to treat personal information Protect Personal Info in like cash – don't leave it sitting out on 29 Workstations your desk when you're away. Adopt "clean-desk policy": Don't leave documents w/ personal info out when away from workstation. Lock up documents overnight and on Put files and disks containing personal weekends. info in locked drawers or cabinets Lock PC when away from workstation. overnight. Lock your PC – Remember "Control, alt, delete before you leave your seat." Slide Free software may not be free – It may Protect Personal Info in contain spyware that can 30 Workstations impair the operation of your Don't download "free" software onto PC - may contain spyware computer, Use strong passwords • 8+ characters, including numerals and carry malicious programs that can Your password is like your toothbrush steal your passwords and data, Don't share it! introduce a virus into your department's system. Check with your IT department before loading any software you think you need. Don't use obvious facts or numbers as your password – not spouse's or child's name, not birth date. Use combination of numbers, letters, symbols – 8+ characters One way to create a memorable password that others can't guess is to use initial letters of a sentence that has meaning to you – substituting numbers for some letters and adding symbols. My favorite color is purple = mfc1p& Don't leave your password posted on your PC, don't share it with others.

3.17.11 13 of 27

Slide It's now policy for state government Protect Personal Info on agencies that personal information 31 **Portables** (especially SSNs, DL/ID numbers, Personal info on laptops, thumb financial account number, medical info) drives, other portable devices on laptop or other portable computing must be encrypted. (policy for state device or storage device like CD or thumb drive - MUST BE ENCRYPTED. **Authority: SAM 5345.2** Many of the security breaches requiring notification in recent years have involved lost or stolen laptops or other portable devices. When personal information on portable devices is encrypted, it can't be accessed or used by an unauthorized person. Slide Think of email as a post card – Don't Protect Personal Info in Transit send personal information or other 32 sensitive information by email – It's not Don't send or receive SSN. DL number, financial account number, medical info via email. a secure medium. Easy to send to wrong Don't leave personal info in voice mail message. people. Mail securely. There are procedures for encrypting Don't leave incoming or outgoing mail in unlocked or unattended receptacles email. Consult your Information Security Officer. Don't leave personal information in a voice mail message – you don't know who might pick up the message. Example: Messages from doctor's office left on voice mail of state employee with phone number similar to a pharmacy. Messages contained confidential information. Mail thieves are often after personal information. Don't leave outgoing mail

3.17.11 14 of 27

unattended – lock it away when leaving the area. Same for incoming mail. Example: Theft of mail delivered to a department on Saturday. Contained documents with SSNs and checks. Required mass notification via news media and Web site because not known whose mail was stolen. individual notice not possible. Slide Fax also insecure – don't know who will Protect Personal Info in Transit see or pick up fax from machine. Also 33 Don't send sensitive info by fax, unless security procedures are used easy to mis-key and send to wrong Confirm accuracy of number before person. Arrange for and confirm prompt pick-up If you must fax personal information, use special procedures. Confirm number and key in carefully Call recipient to notify of fax and get confirmation of prompt pick-up. Slide Unless you are authorized by your Protect State Info at Home supervisor or manager, don't take or 34 send State records containing personal Don't take or send State records w/ personal or information home. confidential info home unless authorized. If authorized use If you are authorized to work on state only State laptop or other State records at home, do so only on State equipment. computer equipment. Home computer may not have appropriate security protections. And may be used by others who are not authorized to see state records. Consider recent events when federal VA employee took home a computer containing personal info on 26 million veterans, Home broken into and

3.17.11 15 of 27

computer stolen. Resulted in notification and anxiety for millions of veterans, other service personnel. Many congressional hearings, several VA employees lost jobs. Slide Identity thieves often try to steal Don't Be Fooled! confidential information by lying and 35 manipulating someone into providing it. Identity thieves may try to trick employees into disclosing personal information. • Phishing e-mails, phone calls One common form is what's known as Verify identity and authority of anyone "phishing" – an email that looks like it's requesting personal info. from a bank or a government agency, for example, asking you to confirm your password, account number, or Social Security number – claiming to part of an effort to protect you from fraud. The advice to consumers in light of phishing – which takes place over the phone as well as by email - isNEVER give out your personal information unless you initiated the contact. Such schemes are also targeted at businesses and gov't agencies – relying on workers' desire to provide good customer service. When you get a request for personal information on individuals from someone you don't know, make an effort to verify the identity and authority of the requester. If you're not sure, check with your supervisor.

3.17.11 16 of 27

Slide		In order to be able to maintain good
Slide 36	Report Info Security Incidents  Reportable incidents include:  Loss or theft of laptop, BlackBerry, disk, etc.  Loss or theft of paper records  Unauthorized acquisition of protected info  Unauthorized release, modification, or destruction of protected info  Interfering with state computers or data systems	information security – to protect the information people give to us – departments must know about and report information security incidents promptly.  Be alert to incidents that could expose information to unauthorized access, disclosure, modification, or destruction.  Such an incident could be  • Lost or stolen computer, PDA, CD  • Lost or stolen mail containing documents or other records  • Improperly disposed of documents  • An unauthorized person getting access to information  • A virus interfering with operation of your computer
Slide 37	Report Info Security Incidents  Report any security incident promptly to your Department's Information Security Office Phone: Email:	[Next slide is about reporting incidents.]  [Fill in with phone number and email address of your department's Information Security Office.]  Report any information security incident PROMPTLY to your department's Information Security Office.  • Even if you're not sure an incident involves personal information.  • Your ISO will determine the extent and significance of the incident.  Of course, report the incident to your supervisor or manager.  Over-report, rather than under-report,

3.17.11 17 of 27

		<ul> <li>potential incidents.</li> <li>And prompt reporting is essential.</li> <li>The sooner an incident can be investigated, the sooner any security holes can be filled.</li> </ul>
Slide 38	A Matter of Respect  Respect for citizens and co-workers means protecting their personal information.  Protecting privacy is everyone's responsibility.	<ul> <li>Protecting privacy is a matter of respect:</li> <li>Respect for our fellow citizens who entrust us with their personal information, and</li> <li>Respect for our co-workers, whose information is also in our department's care.</li> <li>Protecting personal information is something an Information Security Officer or a Privacy Officer can do alone. We all touch some of the personal information in our offices and we are all responsible for protecting it.</li> </ul>
Slide 39	Privacy Quiz  Just for Fun – Test Your  Knowledge	

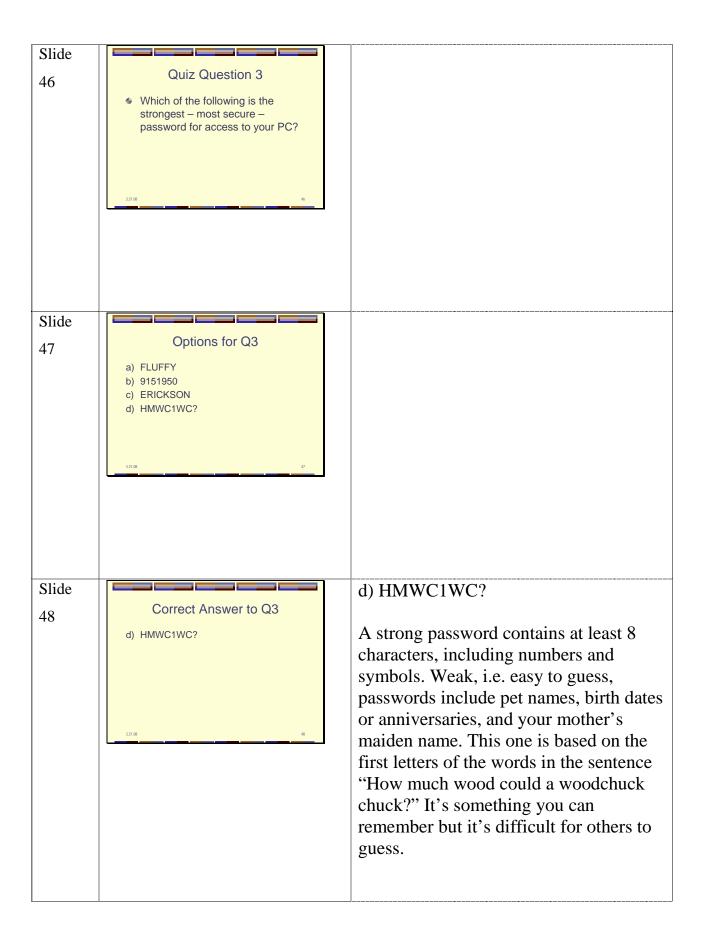
3.17.11 18 of 27

Slide		
40	Quiz Question 1	
	A Public Records Act request is made for a state government document that contains the home addresses and SSNs of several people. Which one of the following statements is true?  32100	
Slide		
41	Options for Q1	
41	The document is public and must be provided as is to anyone who makes a PRA request for it.	
	Because the document contains personal information, it isn't public and should not be given	
	in response to a PRA request.  c) The document may be provided in response to a PRA request, but only after the home addresses	
	and SSNs have been blacked out.  d) The document is not a public record if you created it on your PC for your own use in doing your job.	
	321.08	
Slide		c) The document may be provided in
42	Correct Answer to Q1	response to a PRA request, but only after
	c) The document may be provided in response to a PRA request, but only after the home addresses and SSNs	the home addresses and Social Security numbers have been blacked out.
	have been blacked out.	
		Check with your supervisor or your department's PRA Coordinator on any
	12188	PRA request.
		The requirements of the Public Records
		Act and the Information Practices Act
		must often be balanced. Redacting or
		blacking out personal information in
		public records is one way to do this.
		Note that the fact that you created the
		document for your own use in doing
		your job does NOT prevent it from
		being a public record.
		Government Code §6252 (e) "Public

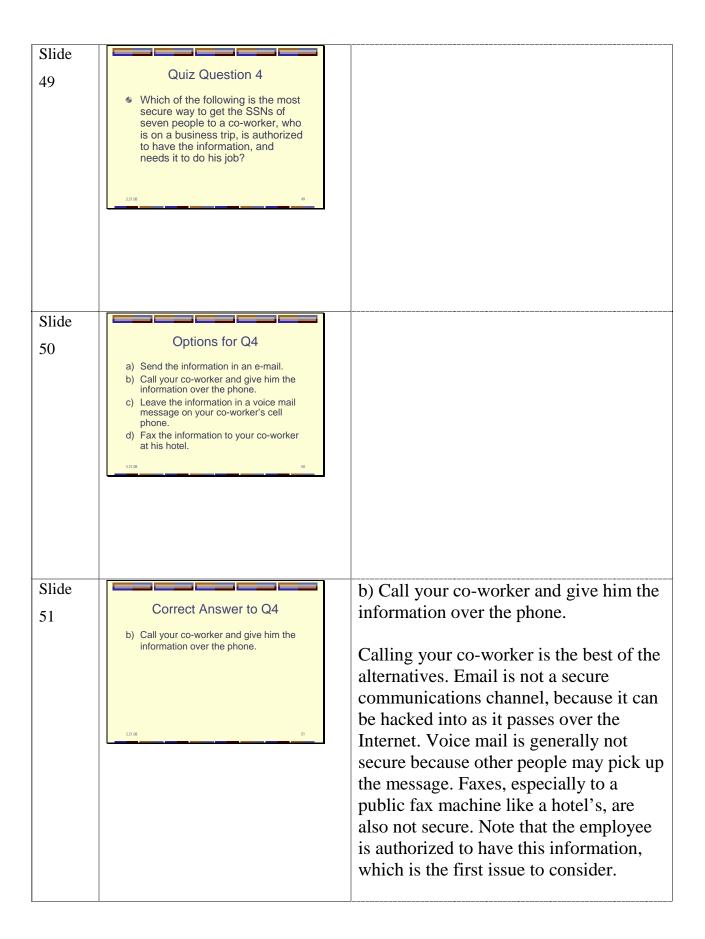
3.17.11 19 of 27

		records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.
Slide		
43	Quiz Question 2  If you believe that incoming mail has been stolen from your office, where should you report it FIRST?	
Slide		
44	Options for Q2  a) To your supervisor. b) To your department's Information Security Officer. c) To the U.S. Postal Inspection Service. d) To the local police department.	
Slide		b) To your department's Information
45	Correct Answer to Q2  b) To your department's Information Security Officer.	You should also report the mail theft to your supervisor. But in order to ensure that a possible security breach is handled promptly, let your ISO know about any information security incident as soon as you discover it.

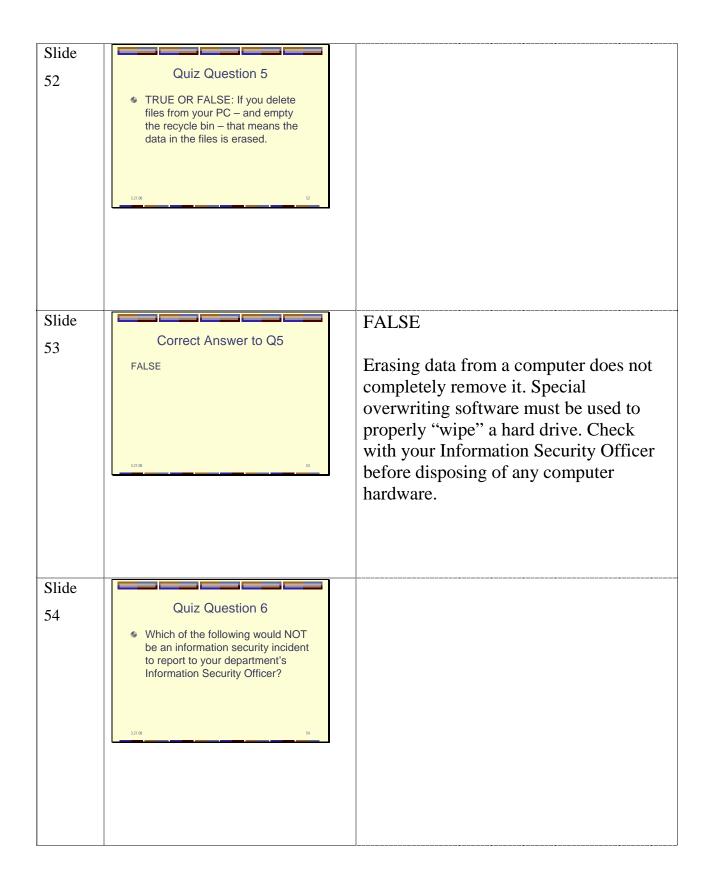
3.17.11 20 of 27



3.17.11 21 of 27



3.17.11 22 of 27



3.17.11 23 of 27

Slide		
55	Options for Q6	
	a) Loss of a laptop containing unencrypted information. b) Accidental mailing of an individual's medical records to the wrong person. c) Theft of your purse, which contained a CD with state data on it. d) Theft of a state-owned electric stapler.	
Slide		d) Theft of a State-owned electric
56	Correct Answer to Q6	stapler.
	d) Theft of a state-owned electric stapler.	All of the other incidents involve data, which may include personal information or other confidential information. The theft of the stapler should be reported to your supervisor as a theft of state equipment.
Slide		
57	Quiz Question 7  Which of the following should you do before leaving your workstation for a meeting?	

3.17.11 24 of 27

Slide		
58	<ul> <li>Options for Q7</li> <li>a) Put documents, disks, other records containing personal information (including your purse) in a drawer or otherwise out of sight.</li> <li>b) Hit "control-alt-delete" and lock your computer.</li> <li>c) Call your best friend and have a long chat.</li> <li>d) Both a and b above.</li> </ul>	
Slide		c) Both a and b above.
59	Correct Answer to Q7  d) Both a and b above.  • Put documents, disks, other records containing personal information (including your purse) in a drawer or otherwise out of sight.  • Hit "control-alt-delete" and lock your	Even when leaving your workstation temporarily during the day, lock your computer by ("control-alt-delete" and
	computer.	lock) to protect the data on it, and also put paper records, CDs, floppy disks, thumb drives and any other storage media away out of sight. When leaving for the day, shut down your computer and lock up all other data.
Slide		
60	Quiz Question 8  • A state employee gives a printout of the names, addresses, and driver's license numbers of people who received unemployment benefits to a friend who wants to offer jobs to them. Which of the following are true?	

3.17.11 25 of 27

## Slide Options for Q8 61 a) The employee may be found guilty of a misdemeanor punishable by up to \$5,000 and one year in jail. b) The employee may be fired. c) The employee's department may be d) The employee will not be punished because his intentions were good. Slide a), b), and c). Correct Answer to Q8 62 The Information Practices Act contains a) The employee may be found guilty of a misdemeanor punishable by up to penalties and consequences for those \$5,000 and one year in jail. b) The employee may be fired. who violate it. Giving this kind of c) The employee's department may be personal information to an unauthorized sued. person places individuals at risk of identity theft, among other things. a) The employee may be found guilty of a misdemeanor punishable by up to \$5,000 and one year in jail as stated in Civil Code §1798.56. Any person who willfully requests or obtains any record containing personal information from an agency under false pretenses... b) The employee may be fire as stated in Civil Code §1798.55. c) The employee's department may be sued as stated in Civil Code § 1798.45.

3.17.11 26 of 27

Slide		
63	Privacy Resources	
	California Privacy Laws	
	<ul> <li>Privacy Laws page at www.privacy.ca.gov</li> <li>Consumer Information</li> </ul>	
	Consumers page at www.privacy.ca.gov	
	<ul> <li>Identity Theft Information</li> <li>Identity Theft page at www.privacy.ca.gov</li> </ul>	
	321.08 63	

3.17.11 27 of 27